

1 THE HONORABLE RICARDO S. MARTINEZ  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 11 12 13 14	UNITED STATES OF AMERICA, et al., vs. STATE OF WASHINGTON, et al., Defendant. Plaintiff,	No. C70-9213 Subproceeding 24-1  ORDER SETTING BRIEFING SCHEDULE ON MOTIONS TO DISMISS AND STAYING CASE DEADLINES
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15 THIS MATTER came before the Court by unopposed motion of the Swinomish Indian Tribal  
16 Community, Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Nooksack Indian Tribe, Port  
17 Gamble S'Klallam Tribe, Sauk Suiattle Indian Tribe, Squaxin Island Tribe, Stillaguamish Tribe,  
18 Suquamish Tribe, Tulalip Tribes, Upper Skagit Indian Tribe, and the State of Washington ("Moving  
19 Parties") to set a briefing schedule on motions to dismiss the Request for Determination in this  
20 action and to stay deadlines contained in Fed. R. Civ. Proc. 26 and 16, including deadlines to file  
21 responses or answers to the Request for Determination as required by Paragraph 25 to the Final  
22 Injunction. The Nisqually Indian Tribe and the United States have not joined but do not oppose the  
23 motion.  
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26 No. C70-9213, Subpr. 24-1  
27 MOTION AND ORDER

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1 Accordingly, the Court hereby ORDERS the following briefing schedule:

2 a. Motions to dismiss shall be filed on or before November 22, 2024 and shall be noted  
3 for consideration on January 24, 2025.

4 b. Any party to this action desiring to join any motion to dismiss or file a brief  
5 containing argument in support of a motion to dismiss shall do so no later than  
6 December 6, 2024.

7 c. Responsive materials in opposition to motions to dismiss shall be filed on or before  
8 January 17, 2025.

9 d. Reply materials shall be filed on or before January 24, 2025.

10 e. Motions, briefs in support of motions, and responses shall not exceed 8,400 words  
11 and replies shall not exceed 4,200 words in accordance with Local Civil Rule 7(e)(3).

12 All deadlines contained in Fed. R. Civ. Proc. 26 and 16, including deadlines to file responses or  
13 answers to the Request for Determination as required by Paragraph 25 to the Final Injunction, are  
14 stayed pending further order of the Court.

15 DATED this 24<sup>th</sup> day of October, 2024.

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19 RICARDO S. MARTINEZ  
20 UNITED STATES DISTRICT JUDGE  
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1 Presented by:

2 s/ Emily Haley  
3 s/ Weston LeMay  
4 Emily Haley, WSBA #38284  
5 Weston LeMay, WSBA #51916  
6 Office of Tribal Attorney  
7 Swinomish Indian Tribal Community  
8 11404 Moorage Way  
9 La Conner, WA 98257  
10 *Attorneys for Swinomish Indian Tribal Community*

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on October 24, 2024, I electronically filed this [PROPOSED] ORDER  
13 SETTING BRIEFING SCHEDULE AND STAYING CASE DEADLINES with the Clerk of the  
14 Court using the CM/ECF system, which will send notice of the filing to all parties registered in the  
15 CM/ECF system for this matter.

16 s/ Emily Haley  
17 Emily Haley, WSBA No. 38284  
18 Swinomish Indian Tribal Community  
19 11404 Moorage Way  
20 LaConner, WA 98257

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26 **No. C70-9213, Subpr. 24-1**  
27 **MOTION AND ORDER**

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